

**To:** CN=Judith Enck/OU=R2/O=USEPA/C=US@EPA[]  
**Cc:** CN=Dore LaPosta/OU=R2/O=USEPA/C=US@EPA[]  
**From:** CN=Eric Schaaf/OU=R2/O=USEPA/C=US  
**Sent:** Thur 10/18/2012 1:19:31 PM  
**Subject:** Re: AES - confidential

## Ex. 5 - Deliberative, Atty-Client

Eric Schaaf, Regional Counsel  
USEPA, Region 2  
212-637-3107

**From:** Judith Enck/R2/USEPA/US  
**To:** Dore LaPosta/R2/USEPA/US@EPA  
**Cc:** "Schaaf Eric" <schaaf.eric@epa.gov>, "Durack Patrick" <durack.patrick@epa.gov>, Caroline Newton/R2/USEPA/US@EPA, Lisa Plevin/R2/USEPA/US@EPA  
**Date:** 10/17/2012 04:11 PM  
**Subject:** Re: AES - confidential

## Ex. 5 - Deliberative, Atty-Client

Sent by EPA Wireless E-Mail Services

**From:** Dore LaPosta  
**To:** Judith Enck  
**Cc:** schaaf.eric@epa.gov; durack.patrick@epa.gov; Caroline Newton; Lisa Plevin  
**Date:** 10/17/2012 02:42 PM CDT  
**Subject:** AES - confidential

We want to meet with the company, but they won't schedule a meeting until we send them the ORD data report. ORD does not want the report released before its internal QA/QC, peer, and administrative review is completed, which it says will take one month on an expedited basis. In response to an EarthJustice FOIA received by the Region, ORD is conferring with its FOIA coordinator as to whether the draft report must be released ahead of its final review, and will inform us of the status of its determination tomorrow.

We have provided photographs of the deposition of Agremax in a dry river bed to Jose Font,

Ex. 5 - Deliberative

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Dore LaPosta, Director  
Division of Enforcement and Compliance Assistance  
USEPA Region 2  
212 637-4031  
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